




J. Craig Whitley
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In Re: _____)
RICKLES, LLC,) Bankruptcy Case No. 17-30227
) Chapter 7
)
Debtor. _____)

CONSENT ORDER

THIS MATTER came before the Court on Motion of the Chapter 7 Trustee ("Trustee") who moved the Court to dismiss this Chapter 7 case and to assess the cost incurred by the Trustee on account of its filing on the officer of the Debtor who caused this case to be filed and on the attorneys for the Debtor. Due notice of the Motion was given and the only party responding was Hull & Chandler PAs, the attorneys for the Debtor ("Attorneys"), who objected. By and with the consent to the Trustee and the objecting party and for good cause shown, the Court finds and concludes as follows:

1. This case was filed on February 10, 2017, and movant was appointed a Chapter 7 Trustee.
2. The Trustee has thoroughly investigated the Debtor and has come to believe that all of the assets of the Debtor are secured to various creditors and that there are no assets that are not encumbered for an amount in excess of the value of the assets. The only possible exception is the existence of a very questionable potential cause of action.
3. The Trustee asserted that the case was a no asset case and that there was no benefit to the Debtor occasioned by the filing.
4. The Trustee advised the Court that the sum of \$6,170.00 was being held in his Trustee account and that he had discovered that these funds were duly secured to Magnolia Financial, Inc. ("Magnolia"). On May 23, 2017, Magnolia filed a Motion to authorize payment of these sums to it that is now pending.
5. The Court agrees with the Trustee that the Chapter 7 filing does not benefit the Debtor.
6. The Attorneys have agreed to pay the Trustee the sum of \$2,500.00 to partially compensate him for the time and expenses that he has incurred.

BASED ON the foregoing, it is

ORDERED as follows:

1. The Trustee is authorized to refund the sum of \$ 6,170.00 to Magnolia.
2. The Attorneys shall pay the sum of \$2,500.00 directly to Richard M. Mitchell which said funds shall not be considered as a part of the estate.
3. Upon certification by the Trustee of compliance with the foregoing, this case shall be dismissed.

WE CONSENT:

/s/ Felton E. Parrish
Felton E. Parrish
Hull & Chandler, P.A.

/s/ Richard M. Mitchell
Richard M. Mitchell

This Order has been signed electronically. The judge's signature and court's seal appear at the top of the Order.

United States Bankruptcy Court